

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Case No. 5:19-cr-00442-PAB-1

Plaintiff,

JUDGE PAMELA A. BARKER

-vs-

LEMUEL J. FREEMAN, JR.,

ORDER

Defendant.

This matter was heard on September 22, 2023, upon the request of the U.S. Pretrial Services and Probation Officer for a finding that Defendant Lemuel J. Freeman, Jr. violated the conditions of supervised release. Defendant appeared before this Court for the Final Hearing as to Revocation of Supervised Release and was represented by counsel, Ashlynn Alexis Rotta-Mejia. Assistant U.S. Attorney Erica D. Barnhill was present on behalf of the United States of America. Pretrial Services Officer, Ashley Frank, was also present.

Defendant had appeared before this Court on March 20, 2023 for the second time for violation proceedings. He admitted to the following violations: failing to submit a drug test and failing to make himself available for supervision. At the request of the U.S. Pretrial Services and Probation Officer, the Court continued this matter to allow Defendant the opportunity to display a positive adjustment to supervision. Since that time, Defendant has not gained employment, nor has he engaged in employment readiness programming. Defendant did reengage in Cognitive Behavioral

Treatment at Summit Psychological Associates where he receives positive remarks from the group facilitator.

On May 9, 2023 a petition was presented to the Court for a warrant to be issued for cause as follows:

New Law Violation – On May 8, 2023, a warrant was issued in Akron Municipal Court case 23CRB03166. Mr. Freeman is charged with Aggravated Menacing (M1). On April 12, 2023, Akron Police Officers were dispatched to North Side Tavern (a bar), reference an unidentified male. The bar owner told the male that he could not come back into the bar until he pulled his pants up. The male became furious and pulled out a black handgun and pointed the gun in the bar owner's face. The bar owner put his hands up in fear and the unidentified male fled. The incident was captured on security camera.

On May 8, 2023, the bar owner contacted Akron Police and provided the name of the identified male. The male was identified as Lemuel Freeman. Akron Police Officers observed the security camera footage from April 12, 2023. In the video, Officers view Mr. Freeman step out of the bar while the bar owner is outside the bar as well, and Mr. Freeman point a handgun in the bar owner's face, and the bar owner put both hands in the air. Both the bar owner and an Akron Police Sergeant identified Lemuel Freeman in the security camera footage.

The Court issued an Order referring this case to the Magistrate Judge as designated by the Clerk's Office to conduct the initial hearing on the new law violation upon Defendant's arrest and to file a report and recommendation. (Doc. No. 55.)

On May 16, 2023 Defendant appeared before Magistrate Judge Amanda M. Knapp and was advised of the violations, wherein Defendant requested a preliminary and detention hearing.

On July 14, 2023 Magistrate Judge Jonathan D. Greenberg conducted a Fact of Violation Hearing on the supervised release violations. Magistrate Judge Jonathan D. Greenberg provided the Court with a Report and Recommendation. (Doc. No. 61.) No objections were filed to the Report and Recommendation of Magistrate Judge Jonathan D. Greenberg.

Accordingly, the Court adopts the Report and Recommendation of Magistrate Judge Jonathan D. Greenberg and finds that the Defendant is in violation of the terms of his supervised

release. Defendant is remanded to the custody of the United States Marshal to be detained for a term of 12 months, with no term of supervision to follow. Defendant advised of his right to appeal.

IT IS SO ORDERED.

Date: September 27, 2023

s/Pamela A. Barker
PAMELA A. BARKER
U. S. DISTRICT JUDGE